

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1139, Sub 7
DOCKET NO. W-1343, Sub 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Joint Application of Ginguite Woods)	
Water Reclamation Association Inc. and)	
GWWTWP, LLC for Approval of Transfer of)	
Certificate of Public Convenience and)	ORDER FINDING APPLICATION
Necessity for the Wastewater System)	INCOMPLETE
Serving the Ginguite Woods Subdivision)	
in Dare County, North Carolina, and for)	
Approval of Rates)	

BY THE PRESIDING COMMISSIONER: On February 10, 2023, Ginguite Woods Water Reclamation Association Inc. and GWWTWP, LLC (Applicants) filed with the Commission an Application for Transfer of Public Utility Franchise and for Approval of Rates (Application) for the wastewater system serving the Ginguite Woods subdivision in Dare County, North Carolina, in accordance with N.C. Gen. Stat. §§ 62-111 and 62-133.

On June 30, 2023, North Carolina Session Law 2023-67, entitled “An Act to Expedite Transfer of Water or Wastewater Public Utilities” (the Act), was signed into law by Governor Roy Cooper, having been previously ratified by the North Carolina General Assembly. The Act provides timelines for the Commission’s consideration of applications for transfers of certificates of public convenience and necessity (CPCN) for certain water and wastewater systems.

Section 1.(b) of the Act applies to applications for grant or transfer of CPCNs for water and wastewater systems currently pending before the Commission as of June 30, 2023. Among other things, this section requires the Commission to provide notice by July 31, 2023, whether any pending application is complete.

On June 30, 2023, the Commission issued an Order Requiring Report of the Public Staff and Initiating Rulemaking Proceeding which, in part, directed the Public Staff to file on or before July 25, 2023, whether each application identified by the Public Staff as subject to the provisions of Section 1.(b) of the Act are complete and identifying any deficiency in any identified application that is not complete.

On July 25, 2023, the Public Staff filed a letter stating that the sewer system has been abandoned by the current franchise holder and the Commission appointed emergency operator. The Public Staff further stated that due to the irregularities in the

proceeding, the Public Staff recommends that the Commission find the application is incomplete. The Public Staff further states that it is actively working with counsel for the application to determine a way forward.

Based on the foregoing, and review of the Application and the subsequent filing by the Public Staff, the Presiding Commissioner finds that the application is incomplete. The Applicant shall work with the Public Staff to file a new application. No later than 10 business days after the additional information is filed, the Public Staff shall file with the Commission and serve upon the applicant a notice regarding whether the application is considered complete with the additional information, or state if the application is incomplete and identify any deficiencies.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 31st day of July, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script that reads "Tamika D. Conyers". The signature is written in black ink and is positioned above the printed name of the signatory.

Tamika D. Conyers, Deputy Clerk